

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 02-1923**

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WILLIAM K. AVERY,

Plaintiff - Appellant,

versus

SUPERIOR BANK, FSB,

Defendant - Appellee.

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Appeal from the United States District Court for the District of Maryland, at Greenbelt. Alexander Williams, Jr., District Judge. (CA-00-3785-AW)

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Submitted: December 19, 2002

Decided: December 30, 2002

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Before WILKINS and KING, Circuit Judges, and HAMILTON, Senior Circuit Judge.

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Affirmed by unpublished per curiam opinion.

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William K. Avery, Appellant Pro Se. Alison E. Goldenberg, GORDON, FEINBLATT, ROTHMAN, HOFFBERGER & HOLLANDER, Baltimore, Maryland; Ava Elaine Lias-Booker, David Eugene Ralph, SAUL EWING, L.L.P., Baltimore, Maryland; Hugo A. Zia, FEDERAL DEPOSIT INSURANCE CORPORATION, Washington, D.C., for Appellee.

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Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

William K. Avery filed a complaint alleging race discrimination in violation of the Equal Credit Opportunity Act, 15 U.S.C. § 1691 (2000), and related state law claims. The case was tried before a jury and the district court entered judgment as a matter of law in favor of the Defendant as to all counts. Avery appeals. We have reviewed the record and the district court's statements from the bench. The court properly found that Avery failed to establish a prima facie case of discrimination and that, in any event, the Defendant presented legitimate, nondiscriminatory reasons for the denial of credit. Accordingly, we affirm. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED